

**Bay Area IRWMP Coordinating Committee
Comments Regarding Proposition 84 Guidelines**

June 13, 2008

1. **Planning Grants.** Consideration should be given to developing planning grant guidelines that will encourage cooperation of regional planning efforts within a funding area. Simply awarding planning grants to any qualified regional planning effort may well result in a fracturing of integrated planning in a funding area instead of prompting cooperation among multiple planning efforts. In addition, the amount of a planning grant should be proportionate to the overall allocation to the funding area and, in the case of a subregion if such a grant is awarded, the size, population and geographic and institutional complexities of such subregion within the funding area.
2. **Complexity of Regions.** In funding areas where there are competing regional planning efforts, both planning and implementation grant guidelines should take into consideration the complexity of the region, meaning its geographical size, population, number of political entities and agencies, etc.
3. **Funding for disadvantage communities.** Bond funds specifically designated for disadvantaged communities in IRWMP regions should be awarded to the pertinent IRWM planning entity (or its contracting agency) to ensure that any DAC activity funded with such monies is coordinated with such IRWMP entity. The DWR guidelines should also require strict accountability standards to ensure that DAC designated funding is appropriately spent on DAC planning efforts and projects. DWR could provide project development technical assistance to DACs not in an IRWMP region so that they would be better prepared to participate in an IRWMP in the future. Planning grant funds for DAC purposes should be in addition to any cap placed on what a planning region may receive so as not to create a disincentive to include DACs in regional planning.
4. **Relation to local planning.** IRWMP guidelines should recognize that water resources management agencies have limited control over land-use decisions. The guidelines could suggest, however, that IRWMP entities coordinate directly with land-use agencies to integrate water resources management and a water element into their general plans.
5. **Use of implementation grant funds.** IRWMP guidelines should indicate that implementation grants should primarily be used to fund multiple-purpose projects that provide benefits to several water management elements.
6. **State deference to IRWMP project prioritization.** Proposition 84 bond language permits DWR to defer to the local region the development of project prioritization for funding. IRWMP guidelines should indicate that the DWR will, in fact, defer to the local project selection process as long as the projects meet the requirements for consistency with the purposes of the bond funds.

7. **Clarification on Prop 84 and Prop 1E funding.** DWR guidelines should make it clear that Prop 1E funding under IRWMP programs is in addition to the Prop 84 allocation to the funding area. Guidelines also should provide that applicants need not designate from which proposition funds are sought if both could apply. DWR should make that decision, such as it does with the consolidated grant program, so that proposals are evaluated on their merits and not on the applicant selecting the right program for the funding sources.
8. **Grant contracts.** IRWMP guidelines should spell out the provisions, especially those that to date have been found problematic with Prop 50 grant recipients, that Prop 84 grant recipients will be expected to accept in contracts with DWR. DWR also should recognize the significant difference in contracts with regions with many project proponents as opposed to single agencies with only one or several projects, and make revisions to contract language that reflects the differences. An example is the “joint liability” provision. DWR should be willing to enter into more than one contract per region, especially when there are several lead agencies and a variety of project types. Multiple project contracts may be appropriate in situations such as when all projects are being led by agencies that already share projects/programs, in the same subregion, or are of a similar project type.
9. **Climate Change.** Proposition 84 did not include specific language related to the need to plan for impacts on water resources due to climate change. However, various bills are being considered by the Legislature that would provide additional guidance to the Department in determining how best to integrate efforts to plan for and mitigate the impacts of climate change into statewide, regional and local water resources management planning. These bills also attempt to augment the requirements being developed by the Air Resources Board to reduce greenhouse gas emissions, some of which may affect water resources management agencies.

Water resources in California are likely to be significantly affected by climate change, whether it be in the form of increasing sea level elevation; greater intensity of precipitation events; flooding of streams, rivers and bays; deeper and longer droughts and a myriad other effects. In preparing to implement the legislative guidelines related to climate change, we urge DWR to place much greater emphasis on the steps that a region is taking to identify impacts of climate change on water resources and to mitigate those impacts, than on the steps that water resources management agencies are taking to reduce their greenhouse gas emissions. Such an approach would reflect the major consequences that climate change will have on water resources and on the Californians who rely on them, compared to the relatively minor impacts that water resources management agencies can have on greenhouse gas emissions in California and globally.

While early responses to AB 32 have focused on simply reducing greenhouse gas emissions, state agencies and organizations increasingly understand and target the importance of adaptation strategies and mitigation mechanisms (e.g. wetlands restoration for flood mitigation, riparian corridor restoration for water quality improvement, urban reforestation for local micro-climate mitigation, overall watershed and stormwater planning to alleviate flooding and pollution impacts) as critical elements to AB 32 goals, given that significant climate change impacts are already underway. Adaptation and mitigation are – and will

continue to be – key strategies for providing and restoring “natural buffers” that help our communities and natural resources survive the tremendous changes, constraints, and uncertainty that are implicit in climate change impacts (for further details, see such presentations and discussions as CA State Water Resources Board Item #5 report for 2/19/08 Board meeting; Local Government Commission workshop on CEQA and Climate Change, 3/20/08; U.S. EPA and CA Coastal Commission’s 2008 LID Stormwater Management workshop series, “Reigning in the Rain”).

The “Prop 84 Draft of Language” for Proposition 84 IRWM Plan Standards, presented to the public on May 13, 2008 (“Changes made to IRWM Plan Standards from P50 through the P84 Process”), includes language referring to climate change in several areas:

- Region Description (p. 2): “A description of major water related issues, including the effects of climate change...”
- Water Management Strategies (p. 4): “The effects of climate change on the IRWM management area must factor into the consideration of resources management strategies.”
- Project Review Process (p.6): “The IRWM [review process]...must include the following factors:...Contribution of the project in combating climate change (energy efficiency, reduction of greenhouse gas emissions, reduction of carbon footprint, or reduction in water demand) as opposed to alternative projects.”
- Impact and Benefit (p. 7): “The IRWM Plan must contain an initial, screening level discussion of potential impacts and benefits of plan implementation. This discussion must include, but is not limited to the following items:...Potential impacts and benefits to resources other than water such as air quality and energy.”
- Climate Change (p.10): “*Currently under review*”

We support DWR’s approach to including climate change-related considerations in these various sections of an Integrated Regional Water Management Plan. However, we urge DWR to change the focus of the consideration described in “Project Review Process” concerning climate change to emphasize the extent that the proposed project provides adaptation to and mitigation of climate change-related impacts on water resources, rather than the extent to which the project reduces greenhouse gas emissions.